

REMARKS

Claim 10 stands rejected under 35 USC § 112 as being indefinite. Applicants have amended claim 10 to overcome this objection. Applicants respectfully request that the objection be removed in light of this amendment.

Claim 11 stands rejected under 35 USC § 102(b) as being anticipated by Henle et al '611. Applicants have cancelled claim 11 and respectfully request that this rejection be withdrawn.

Claims 1-10 stand rejected under 35 USC § 103(a) as being obvious from Balkovec '753 in view of Miyaura and Henle. Applicants traverse this rejection. The process described by Balkovic differs from the one of the present invention, in that the instant invention starts with a metallated phenylcompound which is reacted with a boronic acid ester, hydrolyzed and reacted with an alcohol or glycol to form pentoxyphenylboronic acid (or the anhydride or esters) and a diphenylcompound is subsequently added to give the terphenyl. While Balkovec starts with a brominated diphenyl compound which is reacted with butyllithium and the boronic acid ester to form the pentoxydiphenylboronic acid ester. Addition of 4-iodo-benzoic acid results in the terphenyl compounds.

The process of the instant invention is a completely new route, since the nucleophil and electrophil employed by Balkovec have been swapped. This results surprisingly in an increased selectivity and improved yields.

In the process according to Balkovec the respective products possessed high impurities and the yield are unsatisfactory

As the total number of claims does not exceed the number of claims originally paid for, no fee is believed due. However if an additional fee is required, the Commissioner is hereby authorized to credit any overpayment or charge any fee deficiency to Deposit Account No. 03-2060.

Reconsideration and allowance of this application is respectfully requested.

Respectfully submitted,



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Attachment: Abstract 1 page

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Cancel claim 11.

Amend claim 10 as follows:

10. The method as claimed in claim 1, wherein an alcohol, a sulfoxide, a sulfone, and amide [and, where appropriate, water or a mixture thereof is] are employed as polar solvent.

Add new claim 12 as follows:

12. The method as claimed in claim 1, wherein an alcohol, a sulfoxide, a sulfone, and amide and, water or a mixture thereof are employed as polar solvents.